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STATUTORY INSTRUMENTS

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**1977 No. 425**

**SOCIAL SECURITY**

**The Social Security and Child Benefit  
(Reciprocal Agreements) Order 1977**

*Made* - - - - *9th March 1977*  
*Coming into Operation* *4th April 1977*

At the Court of Saint James, the 9th day of March 1977

Present,

The Counsellors of State in Council

Whereas Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 3rd day of February 1977, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

And Whereas the Orders in Council specified in the Schedule to this Order modified certain enactments so as to give effect to the agreements set out in the Schedules to those Orders:

And Whereas by virtue of section 2 of, and paragraph 10 of Schedule 3 to, the Social Security (Consequential Provisions) Act 1975 it is provided that Her Majesty may by Order in Council provide that an Order in Council made under section 105 of the National Insurance Act 1965 or section 84 of the National Insurance (Industrial Injuries) Act 1965 shall have effect with such modifications as may be specified in the Order and, in the case of an Order under the said section 105, shall have effect for the purposes of section 143 of the Social Security Act 1975:

And Whereas by section 15 of the Child Benefit Act 1975 Her Majesty may by Order in Council make provision for modifying the provisions of Part I of that Act and regulations made under that Part in their application to cases affected by agreements with other Governments providing for reciprocity in matters relating to payments for purposes similar or comparable to the purposes of that Part and regulations made thereunder:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Anne being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by the said section 2, and the said paragraph 10 and the said section 15 and of all other powers enabling Her Majesty, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows:—

### **Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Social Security and Child Benefit (Reciprocal Agreements) Order 1977 and shall come into operation on 4th April 1977.

(2) Any reference in this Order to any provision made by, or contained in, any enactment or instrument shall, except in so far as the context otherwise requires, be construed as a reference to that provision as amended or extended by any enactment or instrument, and as including a reference to any provision which it re-enacts or replaces, or which may re-enact or replace it, with or without modification.

(3) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889 shall apply for the purposes of the interpretation of this Order as they apply for the purposes of the interpretation of an Act of Parliament.

### **Modification of Orders made under the National Insurance Act 1965**

2.—(1) Any Order in Council specified in the Schedule to this Order which was made or deemed to be made<sup>(1)</sup> under section 105 of the National Insurance Act 1965 shall, for the purposes of section 143 of the Social Security Act 1975, have effect subject to the modifications contained in the following paragraph.

(2) Any reference in any such Order in Council specified in the Schedule to this Order to any matter dealt with by, or provision contained in, the National Insurance Acts 1965 to 1974 shall have effect as if it were a reference to the corresponding or most nearly corresponding matter dealt with by, or provision contained in, the Social Security Act 1975.

### **Modifications of Orders made under the National Insurance (Industrial Injuries) Act 1965**

3. Any reference in any Order in Council specified in the Schedule to this Order which was made or deemed to be made<sup>(2)</sup> under section 84 of the National Insurance (Industrial Injuries) Act 1965 to any matter dealt with by, or provision contained in, the National Insurance (Industrial Injuries) Acts 1965 to 1974 shall have effect as if it were a reference to the corresponding or most nearly corresponding matter dealt with by, or provision contained in, the Social Security Act 1975.

### **Modifications of the Child Benefit Act 1975 and certain regulations**

4. Part I of the Child Benefit Act 1975 and regulations made under that Part shall be modified in their application to cases affected by the agreements set out in the Schedules to the Orders in Council specified in the Schedule to this Order to such extent as may be necessary to give effect to the provisions of those agreements relating to payments for purposes similar or comparable to the purposes of that Part.

*N.E. Leigh*  
Clerk of the Privy Council

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(1) See National Insurance Act 1965, section 117(1).

(2) See National Insurance (Industrial Injuries) Act 1965, section 87(1).

## SCHEDULE

Articles 1(1), 2 and 3

### Orders in Council

<i>Title</i>	<i>Reference</i>
The Family Allowances, National Insurance and Industrial Injuries (Refugees) Order 1956	S.I. 1956/1698 (1956 I, p. 1658)
The Family Allowances, National Insurance and Industrial Injuries (European Interim Agreement) Order 1959	S.I. 1959/292 (1959 II, p. 1903)
The National Insurance (European Interim Agreement) Order 1959	S.I. 1959/293 (1959 II, p. 1921)
The Family Allowances, National Insurance and Industrial Injuries (Refugees) Amendment Order 1965	S.I. 1965/1539 (1965 II, p. 4497)
The Family Allowances, National Insurance and Industrial Injuries (Stateless Persons) Order 1965	S.I. 1965/1540 (1965 II, p. 4500)

### EXPLANATORY NOTE

This Order provides for the Orders in Council listed in the Schedule (which relate to international agreements providing for reciprocity in certain social security matters) to have effect subject to modifications to take account of changes contained in the Social Security Act 1975 and for such Orders made under the National Insurance Act 1965 to have effect for the purposes of section 143 of the 1975 Act. The Order makes provision for the modification of Part I of the Child Benefit Act 1975 and regulations made under it so as to give effect to those agreements in so far as they relate to purposes similar or comparable to child benefit.